



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: James M. LIPTON et al.

APPLICATION NO.: 09/828,272

FILED: APRIL 6, 2001

FOR: **USE OF KPV TRIPEPTIDE FOR
DERMATOLOGICAL DISORDERS**

EXAMINER: BILLY D. CHISM

ART UNIT: 1654

CONF. NO: 6351

SUMMARY OF INTERVIEW WITH EXAMINER B. DELL CHISM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An interview took place between David Devlin, the undersigned, and B. Dell Chism on July 21, 2004. The interview was requested by Applicants regarding the Office Action mailed by the PTO on May 5, 2004, in which all claims were rejected; the pending claims in this application are 1, 2, 4, 7 and 8. Examiner Chism agreed to withdraw the examination rejections made with respect to claims 1, 2, 4, 7 and 8. It was brought to Examiner Chism's attention that the Office Action rejections made in the May 5, 2004 Office Action were directed to an embodiment of the claimed invention that was not claimed in the current pending claims.

Certificate of Mailing

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 5, 2004
Date of Deposit

Debbie Gilbert
Debbie Gilbert


Specifically, the Office Action had rejected the currently pending claims as there was a lack of disclosure with regard to the ability of the claimed polypeptides to control microbial infection. It was brought to the Examiner's attention that neither of the claimed uses for the invention, that being psoriasis and contact dermatitis, involved an etiology of infection or microbes. The Examiner agreed with the above and withdrew the rejections pending a copy of this Interview Summary and a copy of a formal reply to the Office Action.

Dated: 8/5/04, 2004

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Respectfully submitted,

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